UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
FEARER, MARK D

ART UNIT	PAPER NUMBER
2143	

NOTIFICATION DATE	DELIVERY MODE
03/27/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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	Application No.	Applicant(s)
Office Action Summary	10/765,519	JOHNSON ET AL.
	Examiner	Art Unit	
	MARK D. FEARER	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>27 January 2004</u>.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-3,5-12,14-22 and 24-26</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-3,5-12,14-22 and 24-26</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on <u>27 January 2004</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

- Applicant's Amendment filed 12 December 2007 is acknowledged.

- Claims 1-2, 5, 10, 18, 21 and 24 have been amended.

- Claims 4, 13, 23 and 27 are cancelled.

- Claims 1-3, 5-12, 14-22 and 24-26 are pending in the present application.

- This action is made FINAL.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 5, 10-11, 18, 21-22 and 24-25 are rejected under 35 U.S.C. 102(b)

as being anticipated by Generous et al. (US 20020120697 A1).

Consider claims 1, 5 as applied to claim 1, and 10. Generous et al. discloses a

system and method comprising: an HTTP gateway (paragraph 1129) adapted to

establish a communication link with an HTTP server (paragraphs 0607 - 0613); and an

instant messaging communication subsystem adapted to enable communication

between a plurality of instant messaging user interfaces coupled to the instant

messaging communication subsystem (paragraphs 0070 - 0073); wherein, the HTTP

gateway establishes a communication link with the instant messaging communication

subsystem and wherein the HTTP gateway is adapted to receive commands from the

instant messaging user interfaces (paragraph 0999), convert the commands to HTTP

requests (paragraph 0453), send the HTTP requests to the HTTP server, receive HTTP

responses to the HTTP requests from the HTTP server, and send the HTTP responses

to the instant messaging user interfaces via the instant messaging communication

subsystem (paragraph 0984); wherein the HTTP gateway selects said instant

messaging communication subsystem from among a plurality of instant messaging

communication subsystems (claims 118-120) using a configuration file of the HTTP

gateway stored on the system (paragraphs 0132 - 0133).

Consider claims 2, 11, 22 and 25, as applied to claims 1, 10, 21 and 24,

respectively. Generous et al. further discloses a system comprising at least one instant

messaging bot, wherein the HTTP gateway is coupled to the instant messaging

communication subsystem via the at least one instant messaging bot and the instant

messaging bot receives the commands from the instant messaging user interfaces and

sends HTTP responses to the users interfaces via the instant messaging

communication subsystem (paragraph 0166).

Consider claims 18, 21 and 24. Generous et al. further discloses a system and

method comprising: means for establishing a communication link between an HTTP

gateway and an HTTP server (paragraph 0632); means for transmitting commands from

a plurality of instant messaging user interfaces coupled to an instant messaging

communication subsystem to the HTTP gateway via at least one instant messaging bot

(paragraph 0628); means for converting the commands to HTTP requests; means for

transmitting the HTTP requests to the HTTP server; means for generating HTTP

responses to the HTTP requests; and means for transmitting the HTTP responses via

the at least one instant messaging bot (paragraphs 0632 - 0633) to the instant

messaging user interfaces wherein the HTTP gateway selects said instant messaging

communication subsystem from among a plurality of instant messaging communication

subsystems (claims 118-120) using a configuration file of the HTTP gateway stored on

the .system (paragraphs 0132 - 0133).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

> 1.   Determining the scope and contents of the prior art.
> 2.   Ascertaining the differences between the prior art and the claims at issue.
> 3.   Resolving the level of ordinary skill in the pertinent art.
> 4.   Considering objective evidence present in the application indicating obviousness
> or nonobviousness.

This application currently names joint inventors. In considering patentability of the

claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Generous et al. (US 20020120697 A1) in view of Checkoway et al. (US 20020133554 A1).

Consider claims 3 and 12, and as applied to claims 1 and 10, respectively. Generous et al. discloses a system and method comprising an HTTP server. However, Generous et al. fails to disclose a system comprising a back-end database connected to the HTTP server, wherein the HTTP server is adapted to query the back-end database in preparing the HTTP responses. Checkoway et al. discloses a system and method comprising a database connected to an SMTP server that delivers an automated responsive answer to ad-hoc queries coming from a receiver (("FIG. 1 represents an e-mail answering agent embodiment of the present invention, and is referred to herein by the general reference numeral 100. The answering agent 100 comprises a system for answering informational queries included in an incoming e-mail message 102. A simple mail transfer protocol (SMTP) network 104 is used to deliver these to a post-office protocol (POP) mailbox 106. From there, a receiver 110 monitors the (POP) mailbox through use of POP3 system 108. The key information is parsed and saved in a database 112 for processing. The receiver determines if the response should be plain text or can be HTML, depending on the e-mail application detected. A scheduler 114

continuously queues new requests in the database for pre-created, scheduled queries

in parallel with ad-hoc queries coming from receiver. A composer 116 polls the queue in

the database for pending requests. The composer makes requests through an

analyzer/call router, which passes the request to a topic server 124. The topic server

returns the answer. The composer formulates the answer as an e-mail message that is

sent out on an SMTP system 118. A discrete e-mail message 120 with a responsive

answer in the message body is sent back to the corresponding user.") paragraph 0017).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to incorporate a system and method comprising a

database connected to an SMTP server that delivers an automated responsive answer

to ad-hoc queries coming from a receiver as taught by Checkoway et al. with a system

and method comprising an HTTP server as taught by Generous et al. for the purpose of

chat sessions with bots.

Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Generous et al. (US 20020120697 A1) in view of Vacanti et al. (US 6987987 B1).

Consider claims 6 and 14, and as applied to claims 1 and 10, respectively.

Generous et al. discloses a system and method comprising an HTTP gateway.

However, Generous et al. fails to disclose a system comprising an HTTP gateway is

configured to map specific paths for HTTP requests to a server. Vacanti et al. discloses

a system and method wherein an HTTP proxy is adapted to map HTTP requests to

specific server paths (("In the arrangement of FIG. 2, a request for web content still

passes along the HTTP communication path from the client station 14 to the content

server 18. However, in this arrangement, separate TCP sockets may exist between the

client station 14 and proxy server 22 on one hand and the proxy server 22 and content

server 18 on the other hand. Thus, the communication path carries a request for web

content in an HTTP GET request from the client station 14 to the proxy server 22 and

then in another HTTP GET request from the proxy server 22 to the content server 18.

And the communication path carries the requested web content in an HTTP 200 OK

response from the content server 18 to the proxy server 22 and then in another HTTP

200 OK response from the proxy server to the client station.") column 5 lines 22-35).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to incorporate a system and method wherein an HTTP

proxy is adapted to map HTTP requests to specific server paths as taught by Vacanti et

al. with a system and method comprising an HTTP gateway as taught by Generous et

al. for the purpose of session initiation protocol.

Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Generous et al. (US 20020120697 A1) in view of Low et al. (US 20020055973 A1).

Consider claims 7 and 15, and as applied to claims 1 and 10, respectively.

Generous et al. discloses a system and method comprising an HTTP gateway.

However, Generous et al. fails to disclose a system wherein the HTTP gateway polls

the instant messaging communication subsystem for commands. Low et al. discloses a

system and method wherein a communications session manager is polled for new

messages input from a client web browser (("The general arrangement of the LCD and

associated proxy is shown in FIG. 19. The LCD uses HTML and Javascript in the web

browser 100 and locates the media-client and leg-controller functionality 24, 105 in the

SMS 67 (again, this functionality can be implemented using Java code 108 running in

JVM 109). When the LCD is launched (done by the SMS 67 serving the appropriate

HTML pages to the customer system 60), a desktop proxy process 109 is created in the

SMS that connects to the TCGC 70 to set up the required media channels and interacts

with the session leg controller on the CSM 69. The LCD forwards any user input, e.g.

chat message, page to push, etc., to the proxy 109 and polls it using an HTTP request

for client updates, e.g. change in desktop state, new chat messages, page to display,

etc.") paragraph 0257).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to incorporate a system and method wherein a

communications session manager is polled for new messages input from a client web

browser as taught by Low et al. with a system and method comprising an HTTP

gateway as taught by Generous et al. for the purpose of instant message polling.

Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Generous et al. (US 20020120697 A1) in view of Quinlan et al. (US 6397253 B1).

Consider claims 8 and 16, and as applied to claims 1 and 10, respectively.

Generous et al. discloses a system and method comprising an HTTP gateway.

However, Generous et al. fails to disclose a system wherein conversion of commands

from instant messaging user interfaces into HTTP requests comprises creation of form

variables by an HTTP gateway. Quinlan et al. discloses a system and method wherein

formatted screens are converted into HTML format and posted to a Web server,

requests from the Web browsers is performed by a plurality of transaction gateway

clients, and generating a predetermined type of HTTP response, followed by form

variable data (("Significant changes are being made by companies in how they

communicate with their customers and the types of services offered due to Web

technology. One such change has been the use of a Web browser as a common front

end to a mainframe or an enterprise system. In the case of IBM hosts, two basic

methods have been utilized to give browsers access to such systems. These methods

have been generically called native 3270 and Hypertext Markup Language (HTML)

conversion. In the native 3270 method, a special browser is utilized that contains some

form of built-in 3270 terminal emulator software and Java applets that know what to do

with the 3270 data streams once they reach the desktop system. In the conversion

method, 3270 formatted screens are converted into HTML format and posted to a Web

server. The converted screens can then be viewed using any browser. These

approaches are discussed in greater detail in an article entitled "How To Put

Mainframes on the Web" by Salvatore Salamone published in the June 1996 issue of

Byte Magazine.") column 1 lines 12-30 ("To reduce traffic, another prior art system

makes an on-line transaction processing system accessible to Web browsers by

establishing a predetermined plurality of transaction gateway clients to receive HTTP

requests that are received by a Web server from the Web browsers. Concurrent

processing of multiple transaction requests from the Web browsers is performed by the

plurality of transaction gateway clients. Each transaction gateway client pre-establishes

a static connection with the on-line transaction processing system. The pre-established

connection allows requests from the Web browsers to be quickly routed to the

transaction processing system. The gateway client translates between HTTP formatted

requests from the Web browsers and the request format expected by the on-line

transaction processing system. This system is described in further detail, in U.S. Pat.

No. 5,754,772 that issued on May 19, 1998.") column 2 lines 57-67 and column 3 lines

1-5 ("... when a form is required as part of the response to the browser request,

generating a predetermined type of HTTP response by the server system that indicates

the particular form being requested, followed by form variable data;") claim 49).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to incorporate a system and method wherein formatted

screens are converted into HTML format and posted to a Web server, requests from the

Web browsers is performed by a plurality of transaction gateway clients, and generating

a predetermined type of HTTP response, followed by form variable data as taught by

Low et al. with a system and method comprising an HTTP gateway as taught by

Generous et al. for the purpose of common gateway interface.

Claims 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Generous et al. (US 20020120697 A1) in view of Dalal et al. (US 20030014488 A1).

Consider claims 9 and 17, and as applied to claims 1 and 10, respectively.

Generous et al. discloses a system and method comprising an HTTP gateway.

However, Generous et al. fails to disclose a system wherein an HTTP gateway extracts

text portions of an HTTP response and communicates the text portions to instant

messaging user interfaces. Dalal et al. discloses a system and method comprising a

client conference controller, read as an instant messaging subsystem, that transforms

requests to text instant messages (("A particular advantage of the Web Service

approach is that once the SOAP requests and responses are defined for conference

management, different forms of client applications can easily be supported. The latest

versions of current Web browser applications have built-in support for SOAP and XML.

In addition, a "fat client" can be developed that can process the defined SOAP requests

and responses. The on-screen presentation of the SOAP message exchange for the

end user may be application-dependent. For example, the instant messaging paradigm,

shown in FIG. 4, can be used as the means for the end user to interact with the CCC.

When the user enters an instant message to be used for conference management, e.g.,

"CREATE UID=jsmith@company.com MEDIA=audio," the CCC transforms the

message into a SOAP request, which is then sent to the SPCC. Upon receiving a SOAP

request or response from the SPCC, the CCC transforms it into a text instant message,

which is then displayed on screen.") paragraph 0100).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to incorporate a system and method comprising a

client conference controller, read as an instant messaging subsystem, that transforms

requests to text instant messages as taught by Dalal et al. with a system and method

comprising an HTTP gateway as taught by Generous et al. for the purpose of efficient

chat and instant messaging communications.

Claims 19 and 26 rejected under 35 U.S.C. 103(a) as being unpatentable over

Generous et al. (US 20020120697 A1) in view of Checkoway et al. (US 20020133554

A1).

Consider claims 19 and 26, and as applied to claims 18 and 24, respectively.

Generous et al. discloses a system and method of comprising requesting web-based

information from a web server using a web-browser. However, Generous et al. fails to

disclose a system wherein generating HTTP responses to HTTP requests comprises a

means for querying a back-end database. Checkoway et al. discloses a system and

method comprising a database connected to an SMTP server that delivers an

automated responsive answer to ad-hoc queries coming from a receiver (("FIG. 1

represents an e-mail answering agent embodiment of the present invention, and is

referred to herein by the general reference numeral 100. The answering agent 100

comprises a system for answering informational queries included in an incoming e-mail

message 102. A simple mail transfer protocol (SMTP) network 104 is used to deliver

these to a post-office protocol (POP) mailbox 106. From there, a receiver 110 monitors

the (POP) mailbox through use of POP3 system 108. The key information is parsed and

saved in a database 112 for processing. The receiver determines if the response should

be plain text or can be HTML, depending on the e-mail application detected. A

scheduler 114 continuously queues new requests in the database for pre-created,

scheduled queries in parallel with ad-hoc queries coming from receiver. A composer

116 polls the queue in the database for pending requests. The composer makes

requests through an analyzer/call router, which passes the request to a topic server

124. The topic server returns the answer. The composer formulates the answer as an e-mail message that is sent out on an SMTP system 118. A discrete e-mail message 120 with a responsive answer in the message body is sent back to the corresponding user.") paragraph 0017).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a system and method comprising a database connected to an SMTP server that delivers an automated responsive answer to ad-hoc queries coming from a receiver as taught by Checkoway et al. with a system and method of comprising requesting web-based information from a web server using a web-browser as taught by Generous et al. for the purpose of HTML source defined by variable named form input.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Generous et al. (US 20020120697 A1) in view of Klassen et al. (US 20050138124 A1).

Consider claim 20, and as applied to claim 18. Generous et al. discloses a system and method comprising transmitting HTTP requests to HTTP servers via a proxy, and a plurality of chat users. However, Generous et al. fails to disclose a method for mapping data paths to and from specific devices. Klassen et al. discloses a multi-community instant messaging system and device comprising a configuration file that determines which community may communicate in an instant messaging session (("A multi-community instant messaging system, device and method are provided. The system includes a plurality of instant messaging communities, a network, and at least

one mobile instant messaging device. The mobile instant messaging device provides a

user interface for displaying a plurality community-specific icons, each community-

specific icon providing an identification of one of the instant message communities. The

mobile device also provides a plurality of configuration data files are stored on the

device, each configuration data file being associated with one of the community-specific

icons, and a common instant messaging application. Upon selecting one of the

community-specific icons, the common instant messaging application is configured for

use as a community-specific instant messaging application using the associated

configuration data file, and may communicate instant messages over the network to the

selected instant messaging community.") paragraph 0006).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to incorporate a multi-community instant messaging

system and device comprising a configuration file that determines which community

may communicate in an instant messaging session as taught by Klassen et al. with a

system and method comprising transmitting HTTP requests to HTTP servers via a

proxy, and a plurality of chat users as taught by Generous et al. for the purpose of an

instant messaging portal.

Response to Arguments

Applicant's arguments filed 12 December 2007 with respect to claims 1-3, 5-12,

14-22 and 24-26 have been considered but are moot in view of the new ground(s) of

rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any response to this Office Action should be faxed to (571) 273-8300 or mailed

to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to Mark Fearer whose telephone number is (571) 270-

1770. The Examiner can normally be reached on Monday-Thursday from 7:30am to

5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's

supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for

the organization where this application or proceeding is assigned is (571) 273-

8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Mark Fearer
M.D.F./mdf
March 18, 2008

/Kenny S Lin/
Primary Examiner, Art Unit 2152